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September 12, 2023

VIA ECF

MEMO ENDORSED

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

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Re: United States v. Figueroa, et al., 22 Cr. 582 (VEC)

Dear Judge Caproni:

As Your Honor knows, we represent Mr. Nelson Olivo, a defendant in the above-captioned matter. We respectfully request a one-week extension of time to oppose the government's motions *in limine*, from September 15, 2023, to September 22, 2023.

On May 12, 2023, Your Honor ordered the parties to file motions *in limine* by September 1, 2023, and any responses by September 15, 2023. *See* Dkt. No. 38. The undersigned was appointed on July 10, 2023, and directed to comply with the outstanding motions *in limine* schedule. *See* Dkt. No. 45. On August 28, 2023, the government, among other things, requested a two-week extension of time to file motions *in limine*. *See* Dkt. No. 57. The following day, the Court granted the government's request in part, extending the deadline by one week to September 8, 2023—thereby shrinking the time to file oppositions to motions *in limine* from two weeks to one week. *See* Dkt. No. 58. On September 6, 2023, the government filed a Superseding Indictment (Dkt. No. 61), requiring counsel to reassess the scope of potentially admissible evidence at trial.

On September 8, 2023, the government filed a 19-page memorandum of law in support of its motions *in limine* to admit at trial various statements and evidence, including statements that were first produced to defendants in discovery on September 7, 2023. In light of the government's voluminous submission, recently produced discovery, and the Court's prior deadlines, we

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respectfully request that the Court grant the parties a one-week extension to oppose motions *in limine*. The government consents to this request.

Respectfully submitted,

/s/ Kathleen E. Cassidy
Kathleen E. Cassidy
Daniel P. Gordon

cc: AUSA Matthew R. Shahabian (by ECF)
AUSA Jane Y. Chong (by ECF)

Application GRANTED. The Government and all Defendants are ordered to appear for a status conference at **10:30 A.M. on September 21, 2023**, in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007.

SO ORDERED.



09/12/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE